

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT N.D. OF N.Y.

**FILED**

MAY - 6 2025

AT \_\_\_\_ O'CLOCK

John M. Domurad, Clerk - Syracuse

*David L. Kirby III*

Plaintiff(s),

v.

*The Post-Standard*  
*Darian Stevenson* Defendant(s).

**COMPLAINT**  
(Pro Se Prisoner)**Case No.** \_\_\_\_\_  
(Assigned by Clerk's  
Office upon filing)**Jury Demand**

Yes  
 No

**NOTICE**

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's social security number, taxpayer identification number, or birth date; the name of a person known to be a minor; or a financial account number. A filing may include *only*: the last four digits of a social security number or taxpayer-identification number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Fed. R. Civ. P. 5.2.

**I. LEGAL BASIS FOR COMPLAINT**

This is a civil action seeking relief and/or damages to defend and protect the rights guaranteed by the Constitution and laws of the United States. Indicate below the federal basis for your claims.

42 U.S.C. § 1983 (state, county, or municipal defendants)

*Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971) (federal defendants)

Other (please specify) \_\_\_\_\_

**II. PLAINTIFF(S) INFORMATION**

Name: David L. Kirby, Jr.

Prisoner ID #: 05002304

Place of detention: Onondaga County Justice Center

Address: 555 South State Street  
Syracuse, New York 13202

Indicate your confinement status when the alleged wrongdoing occurred:

- Pretrial detainee
- Civilly committed detainee
- Convicted and sentenced state prisoner
- Convicted and sentenced federal prisoner
- Immigration detainee

Provide any other names by which you are or have been known and any other identification numbers associated with prior periods of incarceration:

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If there are additional plaintiffs, each person must provide all of the information requested in this section and must sign the complaint; additional sheets of paper may be used and attached to this complaint.

**III. DEFENDANT(S) INFORMATION**

Defendant No. 1: Stevenson, Darian  
 Name (Last, First)

Post-Standard writer  
 Job Title

01-239 North Clinton Street  
 Work Address

<u>Syracuse</u>	<u>New York</u>	<u>13202</u>
City	State	Zip Code

Defendant No. 2: Post-Standard  
 Name (Last, First)

Job Title

01-239 North Clinton Street

Work Address

Syracuse  
City

New York  
State

13202  
Zip Code

Defendant No. 3:

Name (Last, First)

Job Title

Work Address

City

State

Zip Code

Defendant No. 4:

Name (Last, First)

Job Title

Work Address

City

State

Zip Code

If there are additional defendants, the information requested in this section must be provided for each person; additional sheets of paper may be used and attached to this complaint.

#### **IV. STATEMENT OF FACTS**

State briefly and concisely the facts supporting your claims. Describe the events in the order they happened. Your statement of facts should include the following:

- The date(s) on which the events occurred
- Where these events took place (identify the facility and, if relevant, the specific location in the facility)

- How each defendant was involved in the conduct you are complaining about

If you were physically injured by the alleged misconduct, describe the nature of your injuries and the medical evaluation and treatment you were provided. You need not cite to case law or statutes or provide legal argument in the Statement of Facts. Use additional sheets of paper if necessary.

I was charged with an crime that I was convicted of behind my U.S. constitutional amendments where violated starting from the beginning of my case all the way through trial. I was injured by the slander of my name on how I was describe as an person in The Post Standard paper. It was printed in the paper April 2025 between the 20<sup>th</sup> of April and 25<sup>th</sup> of April.

#### V. STATEMENT OF CLAIM(S)

State briefly and concisely the constitutional and/or statutory basis for each claim you seek to assert and identify the defendant(s) against whom each claim is

asserted. Commonly asserted claims include: excessive force; failure to protect; deliberate indifference to medical needs; unconstitutional conditions of confinement; denial of due process in a disciplinary or other proceeding; denial of equal protection; retaliation for the exercise of a First Amendment right; and interference with free exercise of religion. Legal argument and case citations are not required. Use additional sheets of paper if necessary.

**FIRST CLAIM**

Slander of my name.

**SECOND CLAIM**

Defamation

**THIRD CLAIM**

Libel

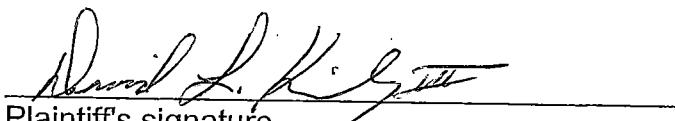
**VI. RELIEF REQUESTED**

State briefly what relief you are seeking in this case.

The relief I sought is \$1,000,000 dollars.  
for monetary damages;

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 04/29/2025

  
Plaintiff's signature  
(All plaintiffs must sign the complaint)

David L. Kirby III

555 South State Street  
Syracuse, New York 13202

Case 5:25-cv-00564-DNH-TWD

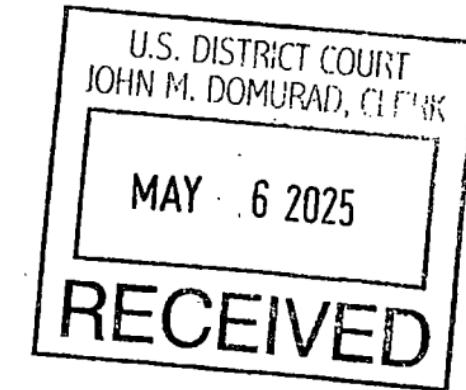
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United States District Court  
Northern District Of New York  
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Local Mail

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